

MAY. 2. 2006 2:12PM

16509618301

RECEIVED
CENTRAL FAX CENTER

NO. 438 P. 1/7

MAY 02 2006

BEYER WEAVER & THOMAS, LLP

INTELLECTUAL PROPERTY LAW

590 W. El Camino Real, Mountain View, CA 94040
Telephone: (650) 961-8300 Facsimile: (650) 961-8301
www.beyerlaw.com

FACSIMILE COVER SHEET

May 2, 2006

Receiver: U.S. Patent and Trademark Office

TEL #:

FAX #: (571) 273-8300

Sender: Susan W. Xu for Ramin Mahboubian

Our Ref. No.: SUN1P231C1

Re: Application No. 10/080,793

Pages Including Cover Sheet(s): (07)

MESSAGE:

Sir:

Please file the attached Applicant Initiated Interview Request Form for the above referenced application.

CONFIDENTIALITY NOTE

The information contained in this facsimile (FAX) message is legally privileged and confidential information intended only for the use of the receiver or firm named above. If the reader of this message is not the intended receiver, you are hereby notified that any dissemination, distribution or copying of this FAX is strictly prohibited. If you have received this FAX in error, please immediately notify the sender at the telephone number provided above and return the original message to the sender at the address above via the United States Postal Service. Thank you.

MAY. 2. 2006 2:12PM 16509618301

RECEIVED
CENTRAL FAX CENTER

NO. 438 P. 2/7

MAY 02 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Click Jr. et al.

Attorney Docket No.: SUN1P231C1/P3911

Application No.: 10/080,793

Examiner: PHAM, CHRYSTINE

Filed: February 20, 2002

Group: 2192

Title: AUTOMATIC STUB/ADAPTER
GENERATOR

Confirmation No.: 2841

CERTIFICATE OF FACSIMILE TRANSMISSION
I hereby certify that this correspondence is being transmitted by
facsimile to fax number 571-273-8300 of the U.S. Patent and
Trademark Office on May 2, 2006.

Signed: Susan W. Xu
Susan W. Xu

APPLICANT INITIATED INTERVIEW REQUEST FORM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Tentative Participants:

1) R. Mahboubian 2)
3) 4)

Proposed Date of Interview: May 5, 2006 Proposed Time: 2:00 PM (Eastern Time)

Type of Interview Requested:

Telephone Personal Video Conference

Exhibit to be Shown or Demonstrated: Yes No
If yes, provide brief description:

Issues (Rej., Obj., etc.)	Claims/ Fig., #s	<u>ISSUES TO BE DISCUSSED</u>			
		Prior Art	Discussed	Agreed	Not Agreed
1) 103	Claim 1	<i>McQuistan et al.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2) 101	Claim 18		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3)			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SUN1P231C1/P3911

1 of 6

BRIEF DESCRIPTION OF ARGUMENTS TO BE PRESENTED:

It is respectfully submitted that *McQuistan et al.* does Not teach or suggest:

(a) determining during runtime whether to configure the adapter/stub representation as an adapter or a stub for the virtual machine, (b) configuring said adapter/stub during runtime as a stub representation that is provided to a compiler for compilation and generating object code based on the compilation, (c) determining, during runtime, whether to provide an interpreter to compiled code (I/C) adapter or a compiled code to interpreter(C/I) adapter, (d) configuring the adapter/stub representation during runtime as an interpreter to compiled code (I/C) adapter that facilitates translation of a first execution stack used by an interpreter associated with the virtual machine, and (e) configuring said adapter/stub during runtime as a compiled code to interpreter (C/I) adapter that facilitates translation of a second execution stack used for execution of compiled code compiled by a compiler associated with the virtual machine.

It is noted that Figure 4 of *McQuistan et al.* depicts an environment where "an interpreter 404 marshals arguments into a runtime buffer maintained by the RPC runtime 402 as well as unmarshals arguments out of the runtime buffer." Also, it is noted that Figure 5 of *McQuistan et al.* depicts a process of a remote procedure call (RPC). However, it is respectfully submitted that neither the environment depicted in Figure 4, nor the process shown in Figure 5 teach or suggest any of the claimed features noted above (a-e).

Moreover, it is respectfully submitted that *McQuistan et al.* does not teach or suggest these claimed features. Instead, *McQuistan et al.* pertains to "a translation mechanism" that performs all marshalling and unmarshaling code, so that "stubs are no longer needed to be used on the server side application program, thereby reducing the amount of storage used in the system." (*McQuistan et al.*, Summary of the invention). The claimed invention pertains to a method for providing an adaptor or stub as needed for a virtual machine during runtime when said virtual machine executes computer code. Accordingly, it is respectfully submitted that claim 1 is patentable over *McQuistan et al.* for at least this reason.

1. **(Proposed Amendment)** A method for providing an adapter/stub adaptor or stub as needed for a virtual machine during runtime when said virtual machine executes computer code, wherein the adapter/stub can behave as an adapter or a stub for the virtual machine, said method comprising:

- identifying a machine state input parameter for a machine state;
- identifying input parameters for a call to compiled code;
- mapping the machine state input parameter and the machine state to the input parameters for the call to compiled code;
- mapping the machine state and return value to an exit point of an interpreter to compiled code adapter [:]] thereby generating an adapter/stub representation that can be configured to behave as an adapter or a stub for the virtual machine during runtime;
- determining during runtime whether to provide configure the adapter/stub representation as an adapter or as a stub for the virtual machine;
- providing configuring said adapter/stub representation during runtime as a stub representation that is provided to a compiler for compilation and generating object code based on the compilation when the determining determines to provide configure the adapter/stub representation as a stub;
- determining during runtime whether to provide an interpreter to compiled code (I/C) adapter or a compiled code to interpreter (C/I) adapter when the determining determines to provide configure the adapter/stub representation as an adapter;
- providing configuring said adapter/stub representation during runtime as an interpreter to compiled code (I/C) adapter that facilitates translation of a first execution stack used by an interpreter associated with the virtual machine when the determining determines to provide the interpreter to compiled code (I/C) adapter, so that the first execution stack can subsequently be used to execute compiled-code compiled by a compiler associated with the virtual machine; and
- providing configuring said adapter/stub representation during runtime as a compiled code to interpreter (C/I) adapter that facilitates translation of a second execution stack used for execution of compiled compiled code compiled by a compiler associated with the virtual machine when the determining determines to provide the compiled code to interpreter (C/I) adapter, so that the second execution stack can subsequently be used by an interpreter associated with the virtual machine.

18. (Proposed Amendment) A computer readable medium embodied in a tangible form including computer program code for providing an adapter/stub for a virtual machine during runtime, wherein the adapter/stub can behave as an adapter or a stub for the virtual machine, comprising:

Claim 1 of Parent Application (U.S. Patent No. 6,381,737)

1. An apparatus for executing a bytecode in runtime system, comprising:
 - a bytecode source;
 - an interpreter coupled to the bytecode source used to interpret the bytecode;
 - a compiler coupled to the bytecode source used to compile the bytecode;
 - a runtime system coupled to the interpreter and coupled to the compiler, wherein the runtime system is arranged to execute the interpreted bytecode when the bytecode is interpreted by the interpreter, and wherein the runtime system is arranged to execute the compiled bytecode when the bytecode is compiled by the compiler;
 - an adapter/stub generator unit coupled to the compiler arranged to provide on demand an adapter source code or a stub source code to the compiler;
 - a library coupled to the compiler and the runtime system arranged to store adapters and stubs compiled by the compiler, wherein when the runtime system retrieves an adapter when required.

An interview was conducted on the above-identified application on

*Note: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP §713.01). This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.33(b)) as soon as possible.

(Applicant/Applicant's Representative)
Signature)

(Examiner/SPE Signature)